

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CHARLENE MOMPEROUSSE,

Plaintiff,

-against-

JETBLUE AIRWAYS CORPORATION,

Defendant.
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ORDER

17-CV-1527 (FB)(PK)

Peggy Kuo, United States Magistrate Judge:

Plaintiff Charlene Momperousse requests leave to proceed *in forma pauperis* in this action, pursuant to 28 U.S.C. § 1915. (Dkt. 4.) Plaintiff's request is denied.

The federal *in forma pauperis* statute provides that “any court in the United States *may* authorize the commencement, prosecution or defense of any suit . . . without prepayment of fees or security thereof, by a person who submits an affidavit that . . . the person is unable to pay such fees or give security thereof.” 28 U.S.C. § 1915 (emphasis added). However, when counsel commences a civil action on a plaintiff's or plaintiffs' behalf, that counsel generally assumes the costs of the litigation. Plaintiff has counsel in this action and, moreover, some of her claims arise under statutes with fee-shifting provisions. If the action is resolved in Plaintiff's favor, counsel will recover the costs.

SO ORDERED:

Peggy Kuo

PEGGY KUO

United States Magistrate Judge

Dated: Brooklyn, New York
March 24, 2017